	Application No.	Applicant(s)	
Notice of Allowability	09/885,064	BATTLES ET AL.	
	Examiner	Art Unit	
	John M. Villecco	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the RCE filed on September 19, 2005*.

2. ☒ The allowed claim(s) is/are *1-9 and 11-15 (renumbered claims 1-14)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1.   Claims 1-9 and 11-15 (renumbered claims 1-14) are allowed.

2.   The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a touch-sensitive shutter button producing a touch signal in response to the touching of a user's finger on the button, and producing an actuation signal upon actuation of the button by a user, and a processor responsive to the touch signal to cause the display to display an image from the image sensor, responsive to the actuation signal to cause image data from the image sensor device to be stored in the storage medium, and responsive to the absence of the touch signal to cause the display to display an image and/or related data from the storage medium.

As for claim 7, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a touch sensitive shutter button wherein merely touching the shutter button without pressing the shutter button down is sufficient to cause the shutter button to produce a signal that causes the display to receive image data from the image sensor and display the images.

With regard to claim 8, the primary reason for allowance is that the prior art fails to teach or reasonably suggest providing a touch sensitive shutter button wherein merely touching the shutter button without pressing down the shutter button is sufficient to cause the display to display an instantaneous image from an image sensor and displaying data from a storage medium of the camera in the absence of the touch signal when the display is activated.
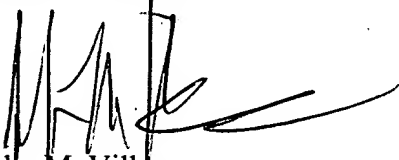
Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John M. Villecco
November 14, 2005

NGOC-YEN VU
PRIMARY EXAMINER